

Remarks

Reconsideration of this Application is respectfully requested. Claims 1-20 are currently pending.

The Applicants wish to thank the Examiner for the courtesy of the telephone interview on October 15, 2004 to discuss the use of the Japanese patent publication (JP02001231213A to Murakami et al., now “Murakami”) in the office action. More particularly, the Office Action relied on the text of Murakami to reject claims 1, 2, 6-8, 10-11, 15-16 and 20. However, Murakami is written in native Japanese. In order to consider Murakami fully, the Applicants respectfully request that the Examiner provide a certified English translation of the Murakami.

The Examiner graciously provided a translation website for the Applicants to review an informal English version of Murakami as the result of the telephone interview. Thus, in the interest of compact prosecution, the Applicants will use the uncertified English translation from the website to respond to the Office Action. A copy of the uncertified English translation is provided to the Examiner as a courtesy in Appendix A.

Rejections Under 35 U.S.C. §102(a)

The Office Action rejected claims 1, 2, 6-8, 10-11, 15-16 and 20 under 35 U.S.C. §102(a) as being allegedly anticipated by Murakami et al. Japanese Patent No. JP02001231213A (“Murakami”). The Applicant respectfully traverses the rejection.

Claim 1, 2, 6-8, 10-11, 15-16 and 20 recite, *inter alia*, an electric motor that includes a preformed cylindrical composite can member removably affixed to one of the stator and rotor

and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed.

The Office Action apparently alleges that Murakami discloses a cylindrical can member being removably affixed to one of the stator and rotor. More particularly, the Office Action relies on a cylindrical can member which is affixed by screws 16. The Applicants respectively disagree.

Murakami fails to disclose, teach or suggest a preformed cylindrical can member removably affixed to one of a stator and rotor. More particularly, Murakami discloses a cylindrical can member, i.e., stator liner 6, is formed from fiber-reinforced plastics (see ¶0031). Moreover, the stator liner 6 is arranged between the stator 7 and the rotator 8. (see ¶0034). Murakami fails to disclose any method of attachment of the stator liner 6 to either one of stator 7 or rotator, much less the stator liner being removably affixed by a screw. Accordingly, Murakami fails to disclose the claimed invention.

Furthermore, the Office Action relies on the gasket 33 of Murakami to disclose the sealing ring for sealing the cylindrical can member to the member which it is affixed. The Applicant respectfully disagrees. Murakami merely describes that gasket 33 is used to seal the ends of the can (see ¶0054). As such, the gasket 33 is being used to seal the motor and does not provide a seal between a cylindrical can member and the member which it is affixed as claimed. Thus, Murakami also fails to disclose another element of the claimed invention and it is respectfully submitted that claims 1, 2, 6-8, 10-11, 15-16 and 20 are patentable over the prior art.

Rejections Under 35 U.S.C. §103(a)

The Office Action rejected claims 1-8 and 10-19 under 35 U.S.C. §103(a) as being allegedly unpatentable over Harland U.S. Patent No. 2,993,449 (“Smith”) and in view of Murakami and in further view of Kohlhaas et al. 6,454,547 (“Kohlhaas”). The Applicant respectfully traverses the rejection.

Claims 1-8 and 10-19 recite, *inter alia*, an electric motor that includes a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed.

The Office Action alleges that the combination of Harland, Murakami and Kohlhaas suggests a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed. (see Office Action, §2). The Applicants respectfully disagrees.

The combination of Harland, Murakami and Kohlhaas fail to teach or suggest each and every claim element of the invention as recited by claims 1-8 and 10-19. More particularly, Smith and Yamamoto, each and in combination, fail to teach or suggest a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed.

The Office Action is correct when it recognizes that Harland fails to teach or suggest the a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed (see Office Action, Pg. 4). However, for at least the reasons given above, Murakami fails to correct this deficiency of Harland. Thus, the combination of Harland and Murakami fails to

teach or suggest a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed.

Kohlhaas also fails to cure the deficiencies of Harland and Murakami. Rather, Kohlhaas teaches a delivery unit that has a electric motor with vanes arranged on the lateral surface of a rotor (abstract). Kohlhaas fails to mention the use of composite materials or a canning member much less a preformed composite canning member. Accordingly, Kohlhaas fails to disclose, teach or suggest a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed as claimed. Thus, Kohlhaas fails to cure the deficiencies of Harland and Murakami and does not teach each and every element of the claimed invention.

Since Harland, Murakami and Kohlhaas each fails to suggest the invention as recited by claims 1-8 and 10-19, the combination of Harland, Murakami and Kohlhaas also fails to teach each and every claim element of the claimed invention. Accordingly, the invention as recited by claims 1-8 and 10-19 is patentable over the cited prior art.

The Office Action rejected claim 9 under 35 U.S.C. §103(a) as being allegedly unpatentable over Murakami and in view of Kohlhaas and in further view of Yamamoto JP Patent No. 03049554a ("Yamamoto"). The Applicant respectfully traverses the rejection.

Claim 9 recites, *inter alia*, an electric motor that includes a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed.

The combination of Murakami, Kohlhaas and Yamamoto fails to disclose, teach or suggest each and every claim element of the invention as recited by claim 9. More particularly, for at least the reasons given above, Murakami and Kohlhaas fail to disclose, teach or suggest an electric motor that includes a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed. Yamamoto fails to cure this deficiency.

Rather, Yamamoto merely teaches a resin mold embedded with magnets (see abstract). Clearly, this resin mold embedded with magnets is not an electric motor that includes a preformed cylindrical composite can member removably affixed to one of the stator and rotor and at least one sealing ring for sealing the cylindrical can member to the member to which it is affixed. Accordingly, Yamamoto does not teach this element of the invention as recited by claim 9.

Since Murakami, Kohlhaas, and Yamamoto each fails to suggest the invention as recited by claim 9, the combination of Murakami, Kohlhaas, and Yamamoto also fails to teach each and every claim element of the claimed invention. Accordingly, the invention as recited by claim 9 is patentable over the cited prior art.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Michael J. Bell', written over a horizontal line.

Michael J. Bell (Reg. No. 39,406)
Anderson I. Chen (Reg. No. 44,436)

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HOWREY SIMON ARNOLD & WHITE, LLP
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800